

REMARKS

Claims 1-10 are active in the case. Reconsideration is respectfully requested.

The Examiner is thanked for the indication of allowable subject matter in the form of Claim 9.

The present invention relates to a process for producing an absorption layer for a solar cell.

Claim Objection

The objection to line 4 of Claim 3 is obviated by the amendment made to the claim. Entry of the clarifying amendment is respectfully requested.

Claim Rejection, 35 USC 112, first paragraph

Applicants have amended Claim 1 so that it recites that the Group I element is either Cu or Ag, the Group III element is at least one of Al, Ga and In and the Group VI element is at least one of S, Se and Te. Support for the recitation in Claim 1 of “at least one” Group III element and for the recitation of “at least one” Group VI element can be found in the stoichiometry of the various alloys disclosed on page 12 of the specification. The Examiner has stated that the disclosure of the specification is enabling of these elements. Withdrawal of the rejection is respectfully requested.

Claim Rejection, 35 USC 112, second paragraph

The rejection of the claims for indefiniteness as to the scope of the Elements I, III and VI is believed to have been obviated by the amendment made to Claim 1. Withdrawal of the rejection is respectfully requested.

Application Serial No. 10/565,975
Reply to the Office Action of March 26, 2009


It is believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220



Frederick D. Vastine
Registration No. 27,013